



General Assembly

February Session, 2016

Raised Bill No. 133

LCO No. 1123



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING LICENSING FOR PROFESSIONAL COUNSELORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-195aa of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2016*):

3 As used in sections 20-195aa to 20-195ee, inclusive, as amended by
4 this act:

5 (1) "Licensed clinical professional counselor" or "clinical professional
6 counselor" means a person who has been licensed as a clinical
7 professional counselor pursuant to this chapter;

8 (2) "Commissioner" means the Commissioner of Public Health;

9 (3) "Department" means the Department of Public Health;

10 (4) "Professional counseling" means the application, by persons
11 trained in counseling, of established principles of psycho-social
12 development and behavioral science to the evaluation, assessment,

13 analysis, diagnosis and treatment of emotional, behavioral or
14 interpersonal dysfunction or difficulties that interfere with mental
15 health and human development. "Professional counseling" includes,
16 but is not limited to, individual, group, marriage and family
17 counseling, functional assessments for persons adjusting to a
18 disability, appraisal, crisis intervention and consultation with
19 individuals or groups; [.]

20 (5) "Licensed master professional counselor" or "master professional
21 counselor" means a person who has been licensed as a licensed master
22 professional counselor pursuant to this chapter;

23 (6) "Under professional supervision" means the practice of
24 professional counseling under the supervision of a physician licensed
25 pursuant to chapter 370, an advanced practice registered nurse
26 licensed pursuant to chapter 378, a psychologist licensed pursuant to
27 chapter 383, a marital and family therapist licensed pursuant to
28 chapter 383a, a licensed clinical social worker licensed pursuant to
29 chapter 383b or a clinical professional counselor licensed pursuant to
30 this chapter; and

31 (7) "Professional supervision" means face-to-face consultation
32 between one supervisor, who is a person described in subdivision (6)
33 of this section, and one person receiving supervision that consists of
34 not less than a monthly review, a written evaluation and assessment
35 by the supervisor of such person's practice of professional counseling.

36 Sec. 2. Section 20-195bb of the general statutes is repealed and the
37 following is substituted in lieu thereof (*Effective October 1, 2016*):

38 (a) Except as provided in subsection (c) of this section, no person
39 may practice professional counseling unless licensed pursuant to
40 section 20-195cc, as amended by this act.

41 (b) No person may use the title ["licensed professional counselor"]
42 "licensed clinical professional counselor", "clinical professional

43 counselor", "licensed master professional counselor", or a "master
44 professional counselor" or make use of any title, words, letters or
45 abbreviations that may reasonably be confused with licensure as a
46 clinical professional counselor or a master professional counselor
47 unless licensed pursuant to section 20-195cc, as amended by this act.

48 (c) No license as a clinical professional counselor or a master
49 professional counselor shall be required of the following: (1) A person
50 who furnishes uncompensated assistance in an emergency; (2) a
51 clergyman, priest, minister, rabbi or practitioner of any religious
52 denomination accredited by the religious body to which the person
53 belongs and settled in the work of the ministry, provided the activities
54 that would otherwise require a license as a clinical professional
55 counselor or a master professional counselor are within the scope of
56 ministerial duties; (3) a sexual assault counselor, as defined in section
57 52-146k; (4) a person participating in uncompensated group or
58 individual counseling; (5) a person with a master's degree in a health-
59 related or human services-related field employed by a hospital, as
60 defined in subsection (b) of section 19a-490, performing services in
61 accordance with section 20-195aa, as amended by this act, under the
62 supervision of a person licensed by the state in one of the professions
63 identified in [subparagraphs (A) to (F), inclusive, of subdivision (2) of
64 subsection (a) of section 20-195dd] subdivision (6) of section 20-195aa,
65 as amended by this act; (6) a person licensed or certified by any agency
66 of this state and performing services within the scope of practice for
67 which he or she is licensed or certified; (7) a student, intern or trainee
68 pursuing a course of study in counseling in a regionally accredited
69 institution of higher education, provided the activities that would
70 otherwise require a license as a clinical professional counselor or a
71 master professional counselor are performed under supervision and
72 constitute a part of a supervised course of study; (8) a person
73 employed by an institution of higher education to provide academic
74 counseling in conjunction with the institution's programs and services;
75 or (9) a vocational rehabilitation counselor, job counselor, credit

76 counselor, consumer counselor or any other counselor or
77 psychoanalyst who does not purport to be a [counselor] clinical
78 professional counselor or a master professional counselor whose
79 primary service is the application of established principles of psycho-
80 social development and behavioral science to the evaluation,
81 assessment, analysis and treatment of emotional, behavioral or
82 interpersonal dysfunction or difficulties that interfere with mental
83 health and human development.

84 Sec. 3. Section 20-195cc of the 2016 supplement to the general
85 statutes is repealed and the following is substituted in lieu thereof
86 (*Effective October 1, 2016*):

87 (a) The Commissioner of Public Health shall grant a license as a
88 clinical professional counselor or a master professional counselor to
89 any applicant who furnishes evidence satisfactory to the commissioner
90 that such applicant has met the requirements of section 20-195dd, as
91 amended by this act. The commissioner shall develop and provide
92 application forms. The application fee shall be three hundred fifteen
93 dollars.

94 (b) Licenses issued under this section may be renewed annually
95 pursuant to section 19a-88. The fee for such renewal shall be one
96 hundred ninety-five dollars. Each licensed clinical professional
97 counselor and licensed master professional counselor applying for
98 license renewal shall furnish evidence satisfactory to the commissioner
99 of having participated in continuing education programs. The
100 commissioner shall adopt regulations, in accordance with chapter 54,
101 to (1) define basic requirements for continuing education programs [,
102 which] that shall include not less than one contact hour of training or
103 education each registration period on the topic of cultural competency
104 and, on and after January 1, 2016, not less than two contact hours of
105 training or education during the first renewal period in which
106 continuing education is required and not less than once every six years
107 thereafter on the topic of mental health conditions common to veterans

108 and family members of veterans, including (A) determining whether a
109 patient is a veteran or family member of a veteran, (B) screening for
110 conditions such as post-traumatic stress disorder, risk of suicide,
111 depression and grief, and (C) suicide prevention training, (2) delineate
112 qualifying programs, (3) establish a system of control and reporting,
113 and (4) provide for a waiver of the continuing education requirement
114 for good cause.

115 Sec. 4. Section 20-195dd of the general statutes is repealed and the
116 following is substituted in lieu thereof (*Effective October 1, 2016*):

117 (a) Except as otherwise provided in [subsections (b) and (c) of] this
118 section, an applicant for a license as a clinical professional counselor
119 shall submit evidence satisfactory to the [Commissioner of Public
120 Health] commissioner of having: (1) Completed sixty graduate
121 semester hours in or related to the discipline of counseling at a
122 regionally accredited institution of higher education, [which] that
123 included coursework in each of the following areas: (A) Human
124 growth and development, (B) social and cultural foundations, (C)
125 counseling theories and techniques or helping relationships, (D) group
126 dynamics, (E) processing and counseling, (F) career and lifestyle
127 development, (G) appraisals or tests and measurements for individuals
128 and groups, (H) research and evaluation, and (I) professional
129 orientation to counseling; (2) earned, from a regionally accredited
130 institution of higher education a master's or doctoral degree in social
131 work, marriage and family therapy, counseling, psychology or a
132 related mental health field; (3) acquired three thousand hours of
133 postgraduate-degree-supervised experience in the practice of
134 professional counseling, performed over a period of not less than one
135 year, that included a minimum of one hundred hours [of direct
136 supervision by (A) a physician licensed pursuant to chapter 370 who
137 has obtained certification in psychiatry from the American Board of
138 Psychiatry and Neurology, (B) a psychologist licensed pursuant to
139 chapter 383, (C) an advanced practice registered nurse licensed
140 pursuant to chapter 378 and certified as a clinical specialist in adult

141 psychiatric and mental health nursing with the American Nurses
 142 Credentialing Center, (D) a marital and family therapist licensed
 143 pursuant to chapter 383a, (E) a clinical social worker licensed pursuant
 144 to chapter 383b, (F) a professional counselor licensed, or prior to
 145 October 1, 1998, eligible for licensure, pursuant to section 20-195cc, or
 146 (G) a physician certified in psychiatry by the American Board of
 147 Psychiatry and Neurology, psychologist, advanced practice registered
 148 nurse certified as a clinical specialist in adult psychiatric and mental
 149 health nursing with the American Nurses Credentialing Center,
 150 marital and family therapist, clinical social worker or professional
 151 counselor licensed or certified as such or as a person entitled to
 152 perform similar services, under a different designation, in another state
 153 or jurisdiction whose requirements for practicing in such capacity are
 154 substantially similar to or higher than those of this state] in the practice
 155 of professional counseling under professional supervision; and (4)
 156 passed an examination prescribed by the commissioner.

157 (b) Except as otherwise provided in this section, an applicant for
 158 licensure as a master professional counselor shall submit evidence
 159 satisfactory to the commissioner of having: (1) Completed sixty
 160 graduate semester hours in counseling at a regionally accredited
 161 institution of higher education, that included coursework that meets
 162 the accreditation requirements of the Council for Accreditation of
 163 Counseling and Related Educational Programs or the National Council
 164 on Rehabilitation Education; (2) acquired one hundred hours of
 165 supervised experience in the practice of professional counseling that is
 166 performed over a period of not less than one year under professional
 167 supervision; (3) acquired six hundred hours in the practice of clinical
 168 mental health counseling, of which not less than two hundred forty
 169 hours involved direct client contact offering psychosocial assessment
 170 and mental health counseling under professional supervision; and (4)
 171 passed an examination prescribed by the commissioner.

172 [(b)] (c) An applicant for licensure as a clinical professional
 173 counselor or a master professional counselor by endorsement shall

174 present evidence satisfactory to the commissioner that the applicant is
175 licensed or certified as a professional counselor, or as a person entitled
176 to perform similar services under a different designation, in another
177 state or jurisdiction whose requirements for practicing in such capacity
178 are substantially similar to or higher than those of this state and that
179 there are no disciplinary actions or unresolved complaints pending.

180 [(c)] (d) An applicant who is currently licensed or certified as a
181 clinical professional counselor or a master professional counselor or
182 [its] the equivalent in another state, territory or commonwealth of the
183 United States may substitute three years of licensed or certified work
184 experience in the practice of professional counseling in lieu of the
185 requirements of subdivision (3) of subsection (a) of this section,
186 provided the commissioner finds that such experience is equal to or
187 greater than the requirements of this state.

188 Sec. 5. Section 20-195ee of the general statutes is repealed and the
189 following is substituted in lieu thereof (*Effective October 1, 2016*):

190 The Commissioner of Public Health may take any disciplinary
191 action set forth in section 19a-17 against a licensed clinical professional
192 counselor or a licensed master professional counselor for any of the
193 following reasons: (1) Failure to conform to the accepted standards of
194 the profession; (2) conviction of a felony; (3) fraud or deceit in
195 obtaining or seeking reinstatement of a license to practice professional
196 counseling; (4) fraud or deceit in the practice of professional
197 counseling; (5) negligent, incompetent or wrongful conduct in
198 professional activities; (6) physical, mental or emotional illness or
199 disorder resulting in an inability to conform to the accepted standards
200 of the profession; (7) alcohol or substance abuse; (8) wilful falsification
201 of entries in any hospital, patient or other record pertaining to
202 professional counseling; or (9) violation of any provision of sections 20-
203 195aa to 20-195dd, inclusive, as amended by this act, or any regulation
204 adopted pursuant to section 20-195ff. The commissioner may order a
205 license holder to submit to a reasonable physical or mental

206 examination if his or her physical or mental capacity to practice safely
207 is the subject of an investigation. The commissioner may petition the
208 superior court for the judicial district of Hartford to enforce such order
209 or any action taken pursuant to said section 19a-17. The commissioner
210 shall give notice and an opportunity to be heard on any contemplated
211 action under said section 19a-17.

212 Sec. 6. Subdivision (20) of section 4e-1 of the general statutes is
213 repealed and the following is substituted in lieu thereof (*Effective*
214 *October 1, 2016*):

215 (20) "Professional services" means any type of service to the public
216 that requires that members of a profession rendering such service
217 obtain a license or other legal authorization as a condition precedent to
218 the rendition thereof, including, but not limited to, the professional
219 services of architects, professional engineers, or jointly by architects
220 and professional engineers, landscape architects, certified public
221 accountants and public accountants, land surveyors, attorneys-at-law,
222 psychologists, licensed marital and family therapists, licensed clinical
223 professional counselors, licensed master professional counselors and
224 licensed clinical social workers as well as such other professional
225 services described in section 33-182a, as amended by this act;

226 Sec. 7. Section 5-206a of the general statutes is repealed and the
227 following is substituted in lieu thereof (*Effective October 1, 2016*):

228 The Commissioner of Administrative Services shall establish a job
229 classification series for marital and family therapists licensed under
230 chapter 383a and clinical professional counselors and master
231 professional counselors licensed under chapter 383c.

232 Sec. 8. Subdivision (7) of section 17a-22ee of the 2016 supplement to
233 the general statutes is repealed and the following is substituted in lieu
234 thereof (*Effective October 1, 2016*):

235 (7) "Therapist" means any (A) physician licensed pursuant to

236 chapter 370 who specializes in psychiatry, (B) psychologist [or
237 professional counselor] licensed pursuant to chapter 383, (C) marital
238 and family therapist licensed pursuant to chapter 383a, [or] (D) clinical
239 social worker or master social worker licensed pursuant to chapter
240 383b, or (E) clinical professional counselor or master professional
241 counselor licensed pursuant to chapter 383c; and

242 Sec. 9. Subsection (f) of section 17a-78 of the general statutes is
243 repealed and the following is substituted in lieu thereof (*Effective*
244 *October 1, 2016*):

245 (f) Any clinical social worker licensed under chapter 383b, advanced
246 practice registered nurse licensed under chapter 378 or clinical
247 professional counselor or master professional counselor licensed under
248 chapter 383c who has (1) received a minimum of eight hours of
249 specialized training in the conduct of direct evaluations as a member
250 of any emergency mobile psychiatric services team under contract with
251 the Department of Children and Families, and (2) reasonable cause to
252 believe, based on a direct evaluation of a child, that such child (A) has
253 psychiatric disabilities, (B) is dangerous to himself or others or gravely
254 disabled, and (C) is in need of immediate care and treatment may issue
255 an emergency certificate that requires the hospitalization of such child
256 for a psychiatric and medical evaluation. Such child shall be evaluated
257 not later than twenty-four hours after the issuance of the emergency
258 certificate and shall not be held for more than seventy-two hours
259 pursuant to such certificate unless committed pursuant to section 17a-
260 77. The Commissioner of Children and Families shall collect and
261 maintain statistical and demographic information pertaining to
262 emergency certificates issued under this subsection.

263 Sec. 10. Subsection (b) of section 17a-101 of the 2016 supplement to
264 the general statutes is repealed and the following is substituted in lieu
265 thereof (*Effective October 1, 2016*):

266 (b) The following persons shall be mandated reporters: (1) Any

267 physician or surgeon licensed under the provisions of chapter 370, (2)
268 any resident physician or intern in any hospital in this state, whether
269 or not so licensed, (3) any registered nurse, (4) any licensed practical
270 nurse, (5) any medical examiner, (6) any dentist, (7) any dental
271 hygienist, (8) any psychologist, (9) any school employee, as defined in
272 section 53a-65, (10) social worker, (11) any person who holds or is
273 issued a coaching permit by the State Board of Education, is a coach of
274 intramural or interscholastic athletics and is eighteen years of age or
275 older, (12) any individual who is employed as a coach or director of
276 youth athletics and is eighteen years of age or older, (13) any
277 individual who is employed as a coach or director of a private youth
278 sports organization, league or team and is eighteen years of age or
279 older, (14) any paid administrator, faculty, staff, athletic director,
280 athletic coach or athletic trainer employed by a public or private
281 institution of higher education who is eighteen years of age or older,
282 excluding student employees, (15) any police officer, (16) any juvenile
283 or adult probation officer, (17) any juvenile or adult parole officer, (18)
284 any member of the clergy, (19) any pharmacist, (20) any physical
285 therapist, (21) any optometrist, (22) any chiropractor, (23) any
286 podiatrist, (24) any mental health professional, (25) any physician
287 assistant, (26) any person who is a licensed or certified emergency
288 medical services provider, (27) any person who is a licensed or
289 certified alcohol and drug counselor, (28) any person who is a licensed
290 marital and family therapist, (29) any person who is a sexual assault
291 counselor or a domestic violence counselor, as defined in section 52-
292 146k, (30) any person who is a licensed clinical professional counselor
293 or a licensed master professional counselor, (31) any person who is a
294 licensed foster parent, (32) any person paid to care for a child in any
295 public or private facility, child care center, group child care home or
296 family child care home licensed by the state, (33) any employee of the
297 Department of Children and Families, (34) any employee of the
298 Department of Public Health, (35) any employee of the Office of Early
299 Childhood who is responsible for the licensing of child care centers,
300 group child care homes, family child care homes or youth camps, (36)

301 any paid youth camp director or assistant director, (37) the Child
302 Advocate and any employee of the Office of the Child Advocate, and
303 (38) any family relations counselor, family relations counselor trainee
304 or family services supervisor employed by the Judicial Department.

305 Sec. 11. Subsection (c) of section 17b-28e of the general statutes is
306 repealed and the following is substituted in lieu thereof (*Effective*
307 *October 1, 2016*):

308 (c) Not later than October 1, 2014, the Commissioner of Social
309 Services shall amend the Medicaid state plan to include services
310 provided by the following licensed behavioral health clinicians in
311 independent practice to Medicaid recipients who are twenty-one years
312 of age or older: (1) Psychologists licensed under chapter 383, (2)
313 clinical social workers licensed under subsection (c) or (e) of section 20-
314 195n, (3) alcohol and drug counselors licensed under section 20-74s, (4)
315 clinical professional counselors or master professional counselors
316 licensed under sections 20-195cc and 20-195dd, as amended by this act,
317 and (5) marital and family therapists licensed under section 20-195c.
318 The commissioner shall include such services as optional services
319 covered under the Medicaid program and provide direct Medicaid
320 reimbursements to such licensed behavioral health clinicians who are
321 enrolled as Medicaid providers and who treat such Medicaid
322 recipients in independent practice settings. The commissioner may
323 implement policies and procedures necessary to implement this
324 subsection in advance of regulations, provided the commissioner
325 prints notice of intent to adopt the regulations in accordance with
326 section 17b-10 not later than twenty days after the date of
327 implementation of such policies and procedures. Such policies and
328 procedures shall be valid until the time final regulations are adopted.

329 Sec. 12. Subsection (c) of section 19a-14 of the 2016 supplement to
330 the general statutes is repealed and the following is substituted in lieu
331 thereof (*Effective October 1, 2016*):

332 (c) No board shall exist for the following professions that are
333 licensed or otherwise regulated by the Department of Public Health:

334 (1) Speech and language pathologist and audiologist;

335 (2) Hearing instrument specialist;

336 (3) Nursing home administrator;

337 (4) Sanitarian;

338 (5) Subsurface sewage system installer or cleaner;

339 (6) Marital and family therapist;

340 (7) Nurse-midwife;

341 (8) Licensed clinical social worker;

342 (9) Respiratory care practitioner;

343 (10) Asbestos contractor and asbestos consultant;

344 (11) Massage therapist;

345 (12) Registered nurse's aide;

346 (13) Radiographer;

347 (14) Dental hygienist;

348 (15) Dietitian-Nutritionist;

349 (16) Asbestos abatement worker;

350 (17) Asbestos abatement site supervisor;

351 (18) Licensed or certified alcohol and drug counselor;

352 (19) [Professional] Licensed clinical professional counselor or

353 licensed master professional counselor;

354 (20) Acupuncturist;

355 (21) Occupational therapist and occupational therapist assistant;

356 (22) Lead abatement contractor, lead consultant contractor, lead
357 consultant, lead abatement supervisor, lead abatement worker,
358 inspector and planner-project designer;

359 (23) Emergency medical technician, advanced emergency medical
360 technician, emergency medical responder and emergency medical
361 services instructor;

362 (24) Paramedic;

363 (25) Athletic trainer;

364 (26) Perfusionist;

365 (27) Master social worker subject to the provisions of section 20-
366 195v;

367 (28) Radiologist assistant, subject to the provisions of section 20-74tt;

368 (29) Homeopathic physician;

369 (30) Certified water treatment plant operator, certified distribution
370 system operator, certified small water system operator, certified
371 backflow prevention device tester and certified cross connection
372 survey inspector, including certified limited operators, certified
373 conditional operators and certified operators in training;

374 (31) Tattoo technician; and

375 (32) Genetic counselor.

376 The department shall assume all powers and duties normally vested
377 with a board in administering regulatory jurisdiction over such

378 professions. The uniform provisions of this chapter and chapters 368v,
379 369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a
380 and 400c, including, but not limited to, standards for entry and
381 renewal; grounds for professional discipline; receiving and processing
382 complaints; and disciplinary sanctions, shall apply, except as otherwise
383 provided by law, to the professions listed in this subsection.

384 Sec. 13. Subdivision (11) of subsection (a) of section 19a-906 of the
385 2016 supplement to the general statutes is repealed and the following
386 is substituted in lieu thereof (*Effective October 1, 2016*):

387 (11) "Telehealth provider" means any physician licensed under
388 chapter 370, physical therapist licensed under chapter 376,
389 chiropractor licensed under chapter 372, naturopath licensed under
390 chapter 373, podiatrist licensed under chapter 375, occupational
391 therapist licensed under chapter 376a, optometrist licensed under
392 chapter 380, advanced practice registered nurse licensed under chapter
393 378, physician assistant licensed under chapter 370, psychologist
394 licensed under chapter 383, marital and family therapist licensed
395 under chapter 383a, clinical social worker or master social worker
396 licensed under chapter 383b, alcohol and drug counselor licensed
397 under chapter 376b, clinical professional counselor or master
398 professional counselor licensed under chapter 383c or dietitian-
399 nutritionist certified under chapter 384b, who is providing health care
400 or other health services through the use of telehealth within such
401 person's scope of practice and in accordance with the standard of care
402 applicable to the profession.

403 Sec. 14. Subdivision (7) of section 20-195m of the general statutes is
404 repealed and the following is substituted in lieu thereof (*Effective*
405 *October 1, 2016*):

406 (7) "Under professional supervision" means the practice of clinical
407 social work under the supervision of a physician licensed pursuant to
408 chapter 370, an advanced practice registered nurse licensed pursuant

409 to chapter 378, a psychologist licensed pursuant to chapter 383, a
410 marital and family therapist licensed pursuant to chapter 383a, a
411 clinical social worker licensed pursuant to this chapter or a clinical
412 professional counselor or a master professional counselor licensed
413 pursuant to chapter 383c; and

414 Sec. 15. Subsection (a) of section 20-195s of the general statutes is
415 repealed and the following is substituted in lieu thereof (*Effective*
416 *October 1, 2016*):

417 (a) An individual licensed as a master social worker pursuant to
418 section 20-195n may: (1) Practice clinical social work under
419 professional supervision; and (2) offer a mental health diagnosis
420 provided such diagnosis is offered in consultation with a physician
421 licensed pursuant to chapter 370, an advanced practice registered
422 nurse licensed pursuant to chapter 378, a psychologist licensed
423 pursuant to chapter 383, a marital and family therapist licensed
424 pursuant to chapter 383a, a clinical professional counselor or a master
425 professional counselor licensed pursuant to chapter 383c or a clinical
426 social worker licensed pursuant to this chapter. Except as provided in
427 subsection (c) of section 20-195q, a licensed master social worker may
428 not engage in independent practice.

429 Sec. 16. Subdivision (1) of section 33-182a of the general statutes is
430 repealed and the following is substituted in lieu thereof (*Effective*
431 *October 1, 2016*):

432 (1) "Professional service" means any type of service to the public
433 that requires that members of a profession rendering such service
434 obtain a license or other legal authorization as a condition precedent to
435 the rendition thereof, limited to the professional services rendered by
436 dentists, naturopaths, chiropractors, physicians and surgeons,
437 physician assistants, doctors of dentistry, physical therapists,
438 occupational therapists, podiatrists, optometrists, nurses, nurse-
439 midwives, veterinarians, pharmacists, architects, professional

440 engineers, or jointly by architects and professional engineers,
441 landscape architects, real estate brokers, insurance producers, certified
442 public accountants and public accountants, land surveyors,
443 psychologists, attorneys-at-law, licensed marital and family therapists,
444 licensed clinical professional counselors, licensed master professional
445 counselors and licensed clinical social workers.

446 Sec. 17. Subdivision (25) of section 34-101 of the general statutes is
447 repealed and the following is substituted in lieu thereof (*Effective*
448 *October 1, 2016*):

449 (25) "Professional service" means any type of service to the public
450 that requires that members of a profession rendering such service
451 obtain a license or other legal authorization as a condition precedent to
452 the rendition thereof, limited to the professional services rendered by
453 dentists, naturopaths, chiropractors, physicians and surgeons, doctors
454 of dentistry, physical therapists, occupational therapists, podiatrists,
455 optometrists, nurses, nurse-midwives, veterinarians, pharmacists,
456 architects, professional engineers, or jointly by architects and
457 professional engineers, landscape architects, real estate brokers,
458 insurance producers, certified public accountants and public
459 accountants, land surveyors, psychologists, attorneys-at-law, licensed
460 marital and family therapists, licensed clinical professional counselors,
461 licensed master professional counselors, licensed or certified alcohol
462 and drug counselors and licensed clinical social workers.

463 Sec. 18. Subsections (e) to (g), inclusive, of section 38a-488a of the
464 2016 supplement to the general statutes are repealed and the following
465 is substituted in lieu thereof (*Effective October 1, 2016*):

466 (e) In the case of benefits payable for the services of a licensed
467 physician or psychologist, such benefits shall be payable for the same
468 services when such services are rendered by:

469 (1) A clinical social worker who is licensed under the provisions of
470 chapter 383b and who has passed the clinical examination of the

471 American Association of State Social Work Boards and has completed
472 at least two thousand hours of post-master's social work experience in
473 a nonprofit agency qualifying as a tax-exempt organization under
474 Section 501(c) of the Internal Revenue Code of 1986 or any subsequent
475 corresponding internal revenue code of the United States, as from time
476 to time amended, in a municipal, state or federal agency or in an
477 institution licensed by the Department of Public Health under section
478 19a-490;

479 (2) A social worker who was certified as an independent social
480 worker under the provisions of chapter 383b prior to October 1, 1990;

481 (3) A licensed marital and family therapist who has completed at
482 least two thousand hours of post-master's marriage and family therapy
483 work experience in a nonprofit agency qualifying as a tax-exempt
484 organization under Section 501(c) of the Internal Revenue Code of 1986
485 or any subsequent corresponding internal revenue code of the United
486 States, as from time to time amended, in a municipal, state or federal
487 agency or in an institution licensed by the Department of Public Health
488 under section 19a-490;

489 (4) A marital and family therapist who was certified under the
490 provisions of chapter 383a prior to October 1, 1992;

491 (5) A licensed alcohol and drug counselor, as defined in section 20-
492 74s, or a certified alcohol and drug counselor, as defined in section 20-
493 74s;

494 (6) A [licensed] clinical professional counselor or a master
495 professional counselor licensed under the provisions of chapter 383c;
496 or

497 (7) An advanced practice registered nurse licensed under chapter
498 378.

499 (f) (1) In the case of benefits payable for the services of a licensed

500 physician, such benefits shall be payable for (A) services rendered in a
501 child guidance clinic or residential treatment facility by a person with a
502 master's degree in social work or by a person with a master's degree in
503 marriage and family therapy under the supervision of a psychiatrist,
504 physician, licensed marital and family therapist, or licensed clinical
505 social worker who is eligible for reimbursement under subdivisions (1)
506 to (4), inclusive, of subsection (e) of this section; (B) services rendered
507 in a residential treatment facility by a licensed or certified alcohol and
508 drug counselor who is eligible for reimbursement under subdivision
509 (5) of subsection (e) of this section; or (C) services rendered in a
510 residential treatment facility by a licensed clinical professional
511 counselor or a licensed master professional counselor who is eligible
512 for reimbursement under subdivision (6) of subsection (e) of this
513 section.

514 (2) In the case of benefits payable for the services of a licensed
515 psychologist under subsection (e) of this section, such benefits shall be
516 payable for (A) services rendered in a child guidance clinic or
517 residential treatment facility by a person with a master's degree in
518 social work or by a person with a master's degree in marriage and
519 family therapy under the supervision of such licensed psychologist,
520 licensed marital and family therapist, or licensed clinical social worker
521 who is eligible for reimbursement under subdivisions (1) to (4),
522 inclusive, of subsection (e) of this section; (B) services rendered in a
523 residential treatment facility by a licensed or certified alcohol and drug
524 counselor who is eligible for reimbursement under subdivision (5) of
525 subsection (e) of this section; or (C) services rendered in a residential
526 treatment facility by a licensed clinical professional counselor or a
527 licensed master professional counselor who is eligible for
528 reimbursement under subdivision (6) of subsection (e) of this section.

529 (g) In the case of benefits payable for the service of a licensed
530 physician practicing as a psychiatrist or a licensed psychologist, under
531 subsection (e) of this section, such benefits shall be payable for
532 outpatient services rendered (1) in a nonprofit community mental

533 health center, as defined by the Department of Mental Health and
534 Addiction Services, in a nonprofit licensed adult psychiatric clinic
535 operated by an accredited hospital or in a residential treatment facility;
536 (2) under the supervision of a licensed physician practicing as a
537 psychiatrist, a licensed psychologist, a licensed marital and family
538 therapist, a licensed clinical social worker, a licensed or certified
539 alcohol and drug counselor, or a licensed clinical professional
540 counselor or a licensed master professional counselor who is eligible
541 for reimbursement under subdivisions (1) to (6), inclusive, of
542 subsection (e) of this section; and (3) within the scope of the license
543 issued to the center or clinic by the Department of Public Health or to
544 the residential treatment facility by the Department of Children and
545 Families.

546 Sec. 19. Subsections (e) to (g) of section 38a-514 of the 2016
547 supplement to the general statutes are repealed and the following is
548 substituted in lieu thereof (*Effective October 1, 2016*):

549 (e) In the case of benefits payable for the services of a licensed
550 physician or psychologist, such benefits shall be payable for the same
551 services when such services are rendered by:

552 (1) A clinical social worker who is licensed under the provisions of
553 chapter 383b and who has passed the clinical examination of the
554 American Association of State Social Work Boards and has completed
555 at least two thousand hours of post-master's social work experience in
556 a nonprofit agency qualifying as a tax-exempt organization under
557 Section 501(c) of the Internal Revenue Code of 1986 or any subsequent
558 corresponding internal revenue code of the United States, as from time
559 to time amended, in a municipal, state or federal agency or in an
560 institution licensed by the Department of Public Health under section
561 19a-490;

562 (2) A social worker who was certified as an independent social
563 worker under the provisions of chapter 383b prior to October 1, 1990;

564 (3) A licensed marital and family therapist who has completed at
565 least two thousand hours of post-master's marriage and family therapy
566 work experience in a nonprofit agency qualifying as a tax-exempt
567 organization under Section 501(c) of the Internal Revenue Code of 1986
568 or any subsequent corresponding internal revenue code of the United
569 States, as from time to time amended, in a municipal, state or federal
570 agency or in an institution licensed by the Department of Public Health
571 under section 19a-490;

572 (4) A marital and family therapist who was certified under the
573 provisions of chapter 383a prior to October 1, 1992;

574 (5) A licensed alcohol and drug counselor, as defined in section 20-
575 74s, or a certified alcohol and drug counselor, as defined in section 20-
576 74s;

577 (6) A licensed clinical professional counselor or a licensed master
578 professional counselor; or

579 (7) An advanced practice registered nurse licensed under chapter
580 378.

581 (f) (1) In the case of benefits payable for the services of a licensed
582 physician, such benefits shall be payable for (A) services rendered in a
583 child guidance clinic or residential treatment facility by a person with a
584 master's degree in social work or by a person with a master's degree in
585 marriage and family therapy under the supervision of a psychiatrist,
586 physician, licensed marital and family therapist or licensed clinical
587 social worker who is eligible for reimbursement under subdivisions (1)
588 to (4), inclusive, of subsection (e) of this section; (B) services rendered
589 in a residential treatment facility by a licensed or certified alcohol and
590 drug counselor who is eligible for reimbursement under subdivision
591 (5) of subsection (e) of this section; or (C) services rendered in a
592 residential treatment facility by a licensed clinical professional
593 counselor or a licensed master professional counselor who is eligible
594 for reimbursement under subdivision (6) of subsection (e) of this

595 section.

596 (2) In the case of benefits payable for the services of a licensed
597 psychologist under subsection (e) of this section, such benefits shall be
598 payable for (A) services rendered in a child guidance clinic or
599 residential treatment facility by a person with a master's degree in
600 social work or by a person with a master's degree in marriage and
601 family therapy under the supervision of such licensed psychologist,
602 licensed marital and family therapist or licensed clinical social worker
603 who is eligible for reimbursement under subdivisions (1) to (4),
604 inclusive, of subsection (e) of this section; (B) services rendered in a
605 residential treatment facility by a licensed or certified alcohol and drug
606 counselor who is eligible for reimbursement under subdivision (5) of
607 subsection (e) of this section; or (C) services rendered in a residential
608 treatment facility by a licensed clinical professional counselor or a
609 licensed master professional counselor who is eligible for
610 reimbursement under subdivision (6) of subsection (e) of this section.

611 (g) In the case of benefits payable for the service of a licensed
612 physician practicing as a psychiatrist or a licensed psychologist, under
613 subsection (e) of this section, such benefits shall be payable for
614 outpatient services rendered (1) in a nonprofit community mental
615 health center, as defined by the Department of Mental Health and
616 Addiction Services, in a nonprofit licensed adult psychiatric clinic
617 operated by an accredited hospital or in a residential treatment facility;
618 (2) under the supervision of a licensed physician practicing as a
619 psychiatrist, a licensed psychologist, a licensed marital and family
620 therapist, a licensed clinical social worker, a licensed or certified
621 alcohol and drug counselor, or a licensed clinical professional
622 counselor or a licensed master professional counselor who is eligible
623 for reimbursement under subdivisions (1) to (6), inclusive, of
624 subsection (e) of this section; and (3) within the scope of the license
625 issued to the center or clinic by the Department of Public Health or to
626 the residential treatment facility by the Department of Children and
627 Families.

628 Sec. 20. Subsection (a) of section 46a-11b of the general statutes is
629 repealed and the following is substituted in lieu thereof (*Effective*
630 *October 1, 2016*):

631 (a) Any physician or surgeon licensed under the provisions of
632 chapter 370, any resident physician or intern in any hospital in this
633 state, whether or not so licensed, any registered nurse, any person paid
634 for caring for persons in any facility and any licensed practical nurse,
635 medical examiner, dental hygienist, dentist, occupational therapist,
636 optometrist, chiropractor, psychologist, podiatrist, social worker,
637 school teacher, school principal, school guidance counselor, school
638 paraprofessional, mental health professional, physician assistant,
639 licensed or certified substance abuse counselor, licensed marital and
640 family therapist, speech and language pathologist, clergyman, police
641 officer, pharmacist, physical therapist, licensed clinical professional
642 counselor or licensed master professional counselor or sexual assault
643 counselor or domestic violence counselor, as defined in section 52-
644 146k, who has reasonable cause to suspect or believe that any person
645 with intellectual disability or any individual who receives services
646 from the Department of Developmental Services' Division of Autism
647 Spectrum Disorder Services has been abused or neglected shall, as
648 soon as practicable but not later than seventy-two hours after such
649 person has reasonable cause to suspect or believe that a person with
650 intellectual disability or any individual who receives services from the
651 Department of Developmental Services' Division of Autism Spectrum
652 Disorder Services has been abused or neglected, report such
653 information or cause a report to be made in any reasonable manner to
654 the director or persons the director designates to receive such reports.
655 Such initial report shall be followed up by a written report not later
656 than five calendar days after the initial report was made. Any person
657 required to report under this subsection who fails to make such report
658 shall be fined not more than five hundred dollars.

659 Sec. 21. Section 52-146s of the general statutes is repealed and the
660 following is substituted in lieu thereof (*Effective October 1, 2016*):

661 (a) As used in this section:

662 (1) "Person" means an individual who consults a licensed clinical
663 professional counselor or a licensed master professional counselor for
664 purposes of diagnosis or treatment;

665 (2) ["Professional counselor"] "Licensed clinical professional
666 counselor" means an individual licensed as a clinical professional
667 counselor pursuant to chapter 383c;

668 (3) "Communications" means all oral and written communications
669 and records thereof relating to the diagnosis and treatment of a person
670 between such person and a licensed clinical professional counselor or a
671 licensed master professional counselor or between a member of such
672 person's family and a licensed clinical professional counselor or a
673 licensed master professional counselor;

674 (4) "Consent" means consent given in writing by the person or such
675 person's authorized representative;

676 (5) "Authorized representative" means (A) an individual
677 empowered by a person to assert the confidentiality of
678 communications which are privileged under this section, or (B) if a
679 person is deceased, the personal representative or next of kin of such
680 person, or (C) if a person is incompetent to assert or waive such
681 person's privileges hereunder, (i) a guardian or conservator who has
682 been or is appointed to act for the person, or (ii) for the purpose of
683 maintaining confidentiality until a guardian or conservator is
684 appointed, the person's nearest relative;

685 (6) "Licensed master professional counselor" means an individual
686 licensed as a master professional counselor pursuant to chapter 383c.

687 (b) Except as provided in subsection (c) of this section, a licensed
688 clinical professional counselor or a licensed master professional
689 counselor shall not disclose any such communications unless the

690 person or the authorized representative of such person consents to
691 waive the privilege and allow such disclosure. The person or the
692 authorized representative of such person may withdraw any consent
693 given under the provisions of this section at any time in writing
694 addressed to the individual with whom or the office in which the
695 original consent was filed. The withdrawal of consent shall not affect
696 communications disclosed prior to notice of the withdrawal.

697 (c) Consent of the person shall not be required for the disclosure of
698 such person's communications:

699 (1) If a judge finds that a person, after having been informed that the
700 communications would not be privileged, has made the
701 communications to a licensed clinical professional counselor or a
702 licensed master professional counselor in the course of a mental health
703 assessment ordered by the court, provided the communications shall
704 be admissible only on issues involving the person's mental health
705 condition;

706 (2) If, in a civil proceeding, a person introduces such person's
707 mental health condition as an element of the claim or defense of such
708 person or, after a person's death, the condition of such person is
709 introduced by a party claiming or defending through or as a
710 beneficiary of the person, and the judge finds that it is more important
711 to the interests of justice that the communications be disclosed than
712 that the relationship between the person and the licensed clinical
713 professional counselor or the licensed master professional counselor be
714 protected;

715 (3) Where mandated by any other provision of the general statutes;

716 (4) Where the licensed clinical professional counselor or the licensed
717 master professional counselor believes in good faith that the failure to
718 disclose such communication presents a clear and present danger to
719 the health or safety of any individual;

720 (5) If the licensed clinical professional counselor or the licensed
721 master professional counselor believes in good faith that there is risk of
722 imminent personal injury to the person or to other individuals or risk
723 of imminent injury to the property of other individuals;

724 (6) If child abuse, abuse of an elderly individual or abuse of an
725 individual who is disabled or incompetent is known or in good faith
726 suspected; or

727 (7) Where a licensed clinical professional counselor or a licensed
728 master professional counselor makes a claim for collection of fees for
729 services rendered, the name and address of the person and the amount
730 of the fees may be disclosed to individuals or agencies involved in
731 such collection, provided notification that such disclosure will be made
732 is sent, in writing, to the person not less than thirty days prior to such
733 disclosure. In cases where a dispute arises over the fees or claims or
734 where additional information is needed to substantiate the claim, the
735 disclosure of further information shall be limited to the following: (A)
736 That the person was in fact receiving professional counseling, (B) the
737 dates of such services, and (C) a general description of the types of
738 services.

739 Sec. 22. Subsection (d) of section 54-209 of the general statutes is
740 repealed and the following is substituted in lieu thereof (*Effective*
741 *October 1, 2016*):

742 (d) In instances where a violation of section 53-21, 53a-70, 53a-70a,
743 53a-70b, 53a-70c, 53a-71, 53a-72a, 53a-72b or 53a-73a has been alleged,
744 the Office of Victim Services or, on review, a victim compensation
745 commissioner may order compensation be paid if (1) the personal
746 injury has been disclosed to: (A) A physician or surgeon licensed
747 under chapter 370; (B) a resident physician or intern in any hospital in
748 this state, whether or not licensed; (C) a physician assistant licensed
749 under chapter 370; (D) an advanced practice registered nurse,
750 registered nurse or practical nurse licensed under chapter 378; (E) a

751 psychologist licensed under chapter 383; (F) a police officer; (G) a
 752 mental health professional; (H) an emergency medical services
 753 provider licensed or certified under chapter 368d; (I) an alcohol and
 754 drug counselor licensed or certified under chapter 376b; (J) a marital
 755 and family therapist licensed under chapter 383a; (K) a domestic
 756 violence counselor or a sexual assault counselor, as defined in section
 757 52-146k; (L) a clinical professional counselor or a master professional
 758 counselor licensed under chapter 383c; (M) a clinical social worker
 759 licensed under chapter 383b; or (N) an employee of the Department of
 760 Children and Families; and (2) the office or commissioner, as the case
 761 may be, reasonably concludes that a violation of any of said sections
 762 has occurred.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	20-195aa
Sec. 2	<i>October 1, 2016</i>	20-195bb
Sec. 3	<i>October 1, 2016</i>	20-195cc
Sec. 4	<i>October 1, 2016</i>	20-195dd
Sec. 5	<i>October 1, 2016</i>	20-195ee
Sec. 6	<i>October 1, 2016</i>	4e-1(20)
Sec. 7	<i>October 1, 2016</i>	5-206a
Sec. 8	<i>October 1, 2016</i>	17a-22ee(7)
Sec. 9	<i>October 1, 2016</i>	17a-78(f)
Sec. 10	<i>October 1, 2016</i>	17a-101(b)
Sec. 11	<i>October 1, 2016</i>	17b-28e(c)
Sec. 12	<i>October 1, 2016</i>	19a-14(c)
Sec. 13	<i>October 1, 2016</i>	19a-906(a)(11)
Sec. 14	<i>October 1, 2016</i>	20-195m(7)
Sec. 15	<i>October 1, 2016</i>	20-195s(a)
Sec. 16	<i>October 1, 2016</i>	33-182a(1)
Sec. 17	<i>October 1, 2016</i>	34-101(25)
Sec. 18	<i>October 1, 2016</i>	38a-488a(e) to (g)
Sec. 19	<i>October 1, 2016</i>	38a-514(e) to (g)
Sec. 20	<i>October 1, 2016</i>	46a-11b(a)
Sec. 21	<i>October 1, 2016</i>	52-146s
Sec. 22	<i>October 1, 2016</i>	54-209(d)

Statement of Purpose:

To make changes to the licensure requirements for professional counselors.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]